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8 Daniel David Rigmaiden  
 9 Pro Se, Defendant

10 **UNITED STATES DISTRICT COURT**  
 11 **DISTRICT OF ARIZONA**

12 United States of America,  
 13 Plaintiff,  
 14 v.  
 15 Daniel David Rigmaiden,  
 16 Defendant.

No. CR08-814-PHX-DGC

SUBMISSION OF TECHNICAL  
 DECLARATION REPORT RE: THE  
 INDEPENDENT OPERATIONS OF THE  
 FBI'S CELL SITE EMULATORS, ETC.  
 USED TO LOCATE THE AIRCARD

17 Defendant, Daniel David Rigmaiden, appearing *pro se*, respectfully submits his expert  
 18 report RE: *The independent operations of the FBI's cell site emulators, etc. used to locate the*  
 19 *UTStarcom PC5740 1xEV-DO aircard in United States v. Rigmaiden, CR08-814-PHX-DGC*  
 20 *(D.Ariz.)*. The defendant is submitting the attached expert report in support of **(1) Motion To**  
 21 **Suppress** (Dkt. #824-1), **(2) Motion For Reconsideration Of Portions Of Court's Order At**  
 22 **Dkt. #1009 RE: Fourth Amendment Suppression Issues** (Dkt. #1033), **(3) Motion For**  
 23 **Reconsideration Of Portions Of Court's Order At Dkt. #723 RE: Discovery Of StingRay And**  
 24 **KingFish Evidence** (Dkt. #1037), and **(4) Motion Requesting Evidentiary Hearing To Settle**  
 25 **Contested Issues Of Fact RE: Motions For Reconsideration Of Motion To Suppress And**  
 26 **Motion For Discovery** (Dkt. #1038).

27 \* \* \* \* \*

28 This submission and attachment were drafted and prepared by the *pro se* defendant,<sup>[1]</sup>

1. This filing is being submitted under the protections of *Simmons*. See Simmons v.

1 however, he authorizes his shadow counsel, Philip Seplow, to file this submission and  
2 attachment on his behalf using the ECF system.

3 It is not expected that excludable delay under 18 U.S.C. § 3161(h) will occur as a  
4 result of this submission.

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26 United States, 390 U.S. 377, 394 (1968) (Holding that “when a defendant testifies in support  
27 of a motion to suppress evidence on Fourth Amendment grounds, his testimony may not  
28 thereafter be admitted against him at trial on the issue of guilt unless he makes no  
objection.”). The defendant objects to the government attempting to introduce this filing as  
evidence at trial.

Respectfully Submitted:

PHILIP SEFLOW, Shadow Counsel, on  
behalf of DANIEL DAVID RIGMAIDEN,  
Pro Se Defendant:

s/ Philip Seflow

Philip Seflow

Shadow Counsel for Defendant.

CERTIFICATE OF SERVICE

I hereby certify that on:

I caused the attached document to be

electronically transmitted to the Clerk's Office using the ECF system for filing and  
transmittal of a Notice of Electronic Filing to the following ECF registrants:

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By: s/ Daniel Colmerauer

(Authorized agent of Philip A. Seflow, Shadow Counsel for Defendant; See ECF Proc. I(D) and II(D)(3))